NEW YORK HERALD, THURSDAY, JUNE 32 1865.

THE TRIAL.

Continuation of Arguments of Counsel for the Prisoners.

Payne's Guilt Mot Denied, but Palliated on the Ground of Southern Education.

He is Pronounced a Pro-Slavery Fanatic and Hero.

PARTIAL CONFESSION OF ATZEROTT.

He Was Willing to Capture President Lincoln but Not to Kill Him.

His Assignment by Booth to be Vice President Johnson's Murderer.

ADMITIONAL DEFENCE OF MRS. SURRATT.

WARHINGTON, June 21, 1866.
The court being called to order, Mr. Doster, counselfor Payne and Atzerott, proceeded to read his argument the case of the prisoner Payne which are admitted be mpted to take the life of the Secretary of State; nd, that he is not within the medical definition of nity; third, that he believes what he was doing was ight and justifiable. The questions as to his identity and anity are, therefore, settled and among the things of the past, and the sole remaining question is how far so third reason, he was going to fight to show that he was a better man than the Northerners, under the deep conviction prevailing in his section that the state of the provided services and the section of the deep conviction prevailing in his section that the state of the section of the sec

night went to the theatre at Richmond. It was the first play that Powell ever saw, and he was spelibound with the magical influence of the stage. He was attracted by the voice and manner of one of thesectors—J. Wilkos Booth. Although a private solder, Powell considered himself the equal of any man; and, after the play was over, sought and gained an introduction to the actor. Never were two natures thrown together so different, yet one so well calculated to rule the other. The soldier was tall, rough, frank, generous, illiterate; the actor was of a delicate mould, polished, graseful, subtle, with brillian powers and abundant stock of readling. They saw enough of sach other to form a close intimacy—sufficient to complete the control of Booth over the prisoner—and parted not to meet again for nearly four years. In the twilight of that memorable day in Barch, Powell was draging himself along the street passing the second of the street passing the second of t

is went to Keither's stable, on Eighth airest, near D, and hired a dark bay mare and rode into the country for the country is and a country to the country is an and to do not know what became of him. At about the mare. I rode out for an hour and returned her to kaylor's again and took out the mare. I rode out for an hour and returned her to kaylor's fail to the keep the mare ready at ten o'clock, in order to return her to the mare hard her from. From there I went to the Herndon House. Booth sent a mesage to Oyster Went. Booth wanted me to murder Mr. Johnson. I then went to the Oyster Bay on the avenue, above Twelfth street, and whiled away the time till about ten. I got the mare, and having taken a drink with the hostler, galloped about town and went to the Kimmell House. From there I rode down to the depot and returned my horse, riding up Penneylvania avenue to Keither's. From Keither's i went down to the Navy Yard to get a room with Wash. Briscoe. He had none, and by the time feel back to the Kimmell House it was street. Next morning, as stated, I went to my cousin Richter's, in Montgomery county.

Mr. Doster, proceeding with his argument, quoted the specification under which the prisoner Atzerott is charged, as follows:—"And in Turther prosecution of the said conspiracy, and its traitorous and murderous designs, the said (eorge A Atzerott did, on the night of the lith of April, 1864, and about the same hour of the night aforesaid, within the military department and military line and the said conspiracy, and its returned was the said conspiracy, and its traitorous and murderous designs, the said (eorge A Atzerott did, on the night of the lath of April, and had not the said and the said and the said and the said and the said an

and followed General Grant who was to have followed him the count been slide. To negative this specification then the the beau side of the count of

manuse irresolution, and so be cut the gordian knot by running away. We shall see that he left the Kimmeil House the next morning without paying his bill. It was for the same reason. He had no money until after he pawned his pistol in Georgetown. The fourth point of the prosecution is that Atterott lodged in the same house with the Vice President. The relative situation of the rooms was favorable to assassination. The room of the Vice President was one which no one could help passing ing going down or up, and for one 126 was as remote from it as possible and in a different wing. It is evident that any one desirous of lying in wait for the Vice President would have taken a room on the same floor, but the any one desirous of lying in wait for the Vice President would have taken a room on the same floor, but the any one desirous of lying in wait for the Vice President was in his room form the same floor, but the vice President was in his room form the same in the vice and stayed five minutes. What was he doing there? He was taking a drink at the bar. If he tried to kill Mr. Johnson why was it not shown. No one was seen lying in wait, the lock had not been tampered with, the Vice President was undisturbed even by a knock on the door, and why? Because Atzerott refused to do It—because the instrument which was to have assassinated the Vice President was too connectentous or was afraid to do It—because he kept up appearances but backed out—because the instrument which was to have assassinations and murders were things for which he was not by nature intended, and he had nothing to do with the assassinations and murders were things for which he was not by nature intended, and he had nothing to do with the assassinations and murders were things for which he was not by nature intended, and he had nothing to do with the assassinations and murders were things for which he was not by nature intended, and he had nothing to do with the assassinations and murders were things for which he was not by nature intended, and he had n

after his peregrications. To charge him with lying in wait, &c., is paying him an undeserved compliment. There is not a particle of the specification proved, but the immediate contrary. During the whole of the evening, so far as the evidence throws any light on his conduct, instead of lying in wait near to the Vice President in was standing at the different bars from the Union House to the Kimmell House, with the intent then and there unlawfully and maliciously to make Atsarott drunk. Booth employed him for an emergency. He was perfectly competent to perform in the plan to capture, to furnish the hoat, to carry the parly across the Fotomac. For participating in the Fresident's assasination he could never have been intended. Booth was, as his conduct shows, anxious to carry off the glory of the thing. He remarked that he wait have known when he told Atzeott to take charge of the Vice President that he had not the courage and did not care particularly whether he accomplished it or not. The charge is divisible into two separate and distinct parts: with combining, confederating, &c., on or before the 6th of March, &c.; and even suppose he was proven guity of the charge and specification, he has already turned State's evidence to the Provost Marshal, and, therefore, his punishment would fall under the practice usual in all courts of justice: that one confessing has an equitable claim on the leniency of the court. His case, however, rests on no such slender ground. Instead of conspiring to kill, he refused to kill; and instead of iying in wait, he intoxicated himself at the appointed hour and sext morning ran away. He is guilty solely of what he confesses: of conspiring to abduct the President. Of that he can be found guilty under a new indictment.

ABGUMENT IN BEHALP OF MES. SURRATT.

Washington, June 21, 1868.

Mr. Ewing will on Friday afternoon present his argument in behalf of Dr. Mudd, and this will conclude all ments of counsel for each of the accused are generally conceded to possess much legal and literary ability. That of Mr. Alken to-day was listened to by a dense auditory, and the appeal in behalf of his client, Mrs. Surratt, was more than ordinarily eloquent and touching. The court have given every facility to counsel for the defence is the procurement of winesses, and have shown them marked personal attentions. As a general thing the court have granted all that counsel have asked for, and throughout the trial good feeling and courtesy have prevailed.

The court will examine one or two witnesses on Friday, and after the argument of Mr. Ewing shall have been read, will probably adjourn till early next week, when Associate Judge Advocate Bingham will, it is expected, sum up the facts for the government. By permission of the Secretary of War, Miss Annie E. Surratt has been permitted constantly to keep her mether company.

Removal of the Governor of New Brans.

[From the Toronte Globe, June 19.]

Governor Gordon, of New Branswick, who has thwarted by every means in his power the success of the Quebe scheme of confederation, has been promoted to the office of Governor of Hong Kong, to which is attached a salary of £5,000 a year, £2,000 more than that of his present office.

Expected Deficiency in Camadian Finance.

[From the Toronto Globe, June 19.]

Some opposition newspapers are making very wild calculations respecting the public finances for the year 1865. Among them are two which affect some knowledge of financial matters, and which ought to know better than to venture such rash statements. We can conceive of no excuse, for example, for telling the people that there was voted late session an increased expenditure of three millions, when the truth is that only the sum of \$3,380,000 was voted altogether last session. That amount was divided as follows:

The vote of credit.

\$2,000,000

Frontier force.

\$30,000

St. Albans raid money.

50,000

The United States Government at the Comvention.

[From the Quebec Mercury, June 16.]

We are glad to learn that the American Treasury is to be represented at the Detroit convention.

We are glad to learn that the American Treasury is to be represented at the Detroit convention by Mr. Andrews, whose report did so much to secure the carrying of the Reciprocity treaty. We believe that we may rely on his efforts to obtain a renewal of the treaty.

A New York Mail Bag Robbed in Canada.

[From the Quebec Mercury, June 17.]

The mails for New York, Boston, &c., were as usual despatched from Montreal on Saturday aftenoon last by the Champlain Railroad train, in charge of a Canadian mail cierk as far as the province line, after which the responsibility for the further charge of the mail devolved on the baggage master of the train. There is no doubt the bags continued as far as St. Albans, where the train stops some time. The "through bag" from that town for New York was placed in the car, and the train progressed, gathering other bags es rossa. On reaching Troy, however, it was discovered that two of the bags had been cut open—namely, that from St. Albans for New York and the bag from Montreal for Troy. Fortunately the Montreal letter package for Troy had not been taken out, but the St. Albans package for New York had been abstracted. It is, of oourse, evident that the depredation had been committed either at St.

Albans, whilst the tr'uln stopped there, or between St.
Albans and Troy. The matter was at once reported to a special agent of the Anvertean Post Office Department, who is, we learn, now eng. graf in instituting inquiry into the matter.

RIOT AT STATEN ISLAND.

The United States Troops and the People in Collision—A Number o. Men Wounded, One Supposed Mertally—The Rice

of the same regiment came up to the gates and indiscriminately fired upon the crowd who were attempting to force the gates and throwing missiles of all kinds at the soldiers.

A number of persons were more or less injured by stones, and some were shot. Among the latter was Lieutenant Nelson, of Company I, Sixty-sixth regiment, who was shot in the left breast. The wound is supposed to be mortal. Lieutenant Nelson was on his way to the city, and being told of the riot at Quarantine landing he immediately went to quell it, but on approaching the gate was shot by one of his own party.

The others shot, so far as known, are a Mr. Cain (citizen) in the left knee. He will lose his leg.

Mortimer Denyse, of the One Hundred and Thirty-third New York, and belonging to Staten Island, shot in the left arm above the wrist. He will probably lose the arm.

Goo. W. Daly, also a resident of the island, wounded in the leg.

OUR RETURNING VETERANS.

This regiment, four hundred strong, arrived in the city yesterday afternoon. They proceeded to the Eighth regithey expect to be mustered out of service. The Twenty-fifth formed part of Sheridan's famous cavalry, and have been with that gallant commander nearly all their term of service. The regiment was raised in New York city, Sullivan and Delaware counties, of this State. Their record is a brilliant one. They have participated in the following engagements:—White House Landing, Charles City Court House, Fort Stevens, Fort Rousey, Halltown, Opequan Creek, Winchester, Luray Valley, Fort Republic, Ton's Brook, Newtown, Madison Court House, Waynesboro, Mount Jackson and numerous skirmishes. The following is a list of officers:
Lieutenant Colonel, Aaron Seely; First Major, S. W. McPherson; Second Major, Clinton G. Townniey; Surgeon, James D. Jones; Assistant Surgeon, George Summer; Commissary, Edwin Dunn; Quartermaster (acting), F. J. Eaton; Adjutant, R. M. Cumming; Chaplain, E. Ray Clark.

F. J. Eaton; Adjutant, R. M. Cumming; Chaplain, E. Ray Clark.

Company A.—Captain, E. W. Woodward; First Lieutenant, R. H. Olmstead; Second Lieutenant, Julian Rause.

Company B.—Second Lieutenant, C. J. Holmes.

Company C.—Captain, N. D. Maffit; First Lieutenant,

Henry Fortush.

Company D.—First Lieutenant, Thomas R. Scott; Second Lieutenant, A. F. Droz.

Company E.—Captain, J. J. Smith; First Lieutenant,

F. J. Eaton.

Company F.—Captain, Archibald Wilson; First Lieutenant,

Company F.—Captain, Archibald Wilson; First Lieutenant, Ramnel David.
Company G.—Captain, H. L. Lazarus; First Lieutenant, H. G. Wood.

H. G. Wood.

Company H—Captain, W. H. Brusle; First Lieutenaut,
N. C. Grogory.

Company I—Captain, M. N. Smith.

Company K—Captain, S. E. Chamberlin; First Lieutenaut,
G. J. Underwood.

Company L—Second Lieutenaut, J. P. Burns.

Company M—Captain, James C. Walters; First Lieutenaut, J. D. Stevenson.

A detachment of this corps, commanded by Captain J.

A. Bowen, also arrived at the Battery Barracks yesterday. They left by the New Haven boat last night for Providence. Colonel Almy attended to their wants and saw them off for home.

THE NINETY-PIRST NEW YORK. The main portion of this regiment passed through here some days back. A detachment was brought on yesterday by Lieutenant W. T. Smyth. They are now at

AN ENTERTAINMENT TO THE STATEN ISLAND VETS

nished to the Staten Island (returned) veterans at Nau tilus Hall, Tempkinsville, Staten Island, yesterday. This entertainment was originated by a number of respectable citizens of the locality. Measrs. Abraham Saguine, Dominick Reagan and Robert Heselwood were the managing committee on the occasion. The affair took place on the grounds attached to Nautilus Hall. Here some one hundred veterans and their friends enjoyed themselves during the day, listening to good music furnished by Roberison's band, drinking fresh lager, and eating sandwiches and other delicacies profusely provided by the committee. At three o'clock in the afternoon Col. Curry, of the One Hundred and Thirty-third New York regiment, and others, made appropriate remarks, which were enthusiastically applanded. The entertainment lasted all day and until a late hour of the evening.

The Sixteenth Massachusetts Battery, Captain H. D. Scott, one hundred and forty men and five officers They leave at five P. M. to-day for Readville, Mass. The First Maine regiment, commanded by Major Sum ner, left for Portland last evening.

setts artillery, who had been loft behind in this city, also left for Readville yesterday afternoon. THE ONE HUNDRED AND TWELPTH AND ONE HUN

Boyrato, June 21, 1866.
The One Hundred and Twelfth and One Hundred and Forty-ninth New York Volunteers regiments were re-ceived here this morning, and escorted by the Seventy-fourth regiment of this city through the principal streets to Fort Porter, where they are to be mustered out and paid off.

BATTERY G, PIRST NEW JERSEY ARTILLERY—

paid off.

BATTERY C, FIRST NEW JERSEY ARTILLERY—
GRAND TORCHLIGHT RECEPTION IN HOBOKEN.

The members of Battery C, First regiment New Jersey artillery, under command of Brevet Major Woerner, returned home last evening. About forty of the members being residents of Hoboken, the citizens of that place gave them a grand reception last night. The entire Fire Department turned out in torchlight procession, and secorted the veterans through the principal streets of the city, and all along the line the citizens turned out and gave them a hearty welcome. After the procession the firemen, together with many prominent citizens and the members of the battery, repaired to Otto Cottage Garden, where a bountiful collation was served up. Speeches of welcome were made by Benjamin Van Riper, Hon. Mr. Abbott and others. The following singing societies were present, and gave some fine vocal music:—The Quartette Club, Germanis, Harmonia and Concordia Societies. The affair wound up with dancing, which continued until a late hour in the night. Among the invited guests present were General Hatfield, Colonel Van Amsberg, Colonel Travers, Colonel Ratislaw and Captaina Mount, Foster and Commulier.

This battery was raised in Hudson county, and went to the war in September, 1863, and was attached to the Second corps. They have taken part in the following engagements:—White House, June 30, 1864; Deep Bottom, Reams' Station, August 25; Fort Hask, March 28, 29, and April 1 and 2; also at the siege of Peteraburg. The battery arrived at Trenton about two weeks ago, and were paid off and discharged on Tuesday.

ARRIVAL OF VERMONT TROOPS.

Six hundred and fifty men of a Vermont regiment arrived in this city last evening, and are temporarily quartered in this city last evening, and are temporarily quartered in the city and the second corpe. They have taken part in the following engagements:—White House, June 30, 1864; Deep Bottom, Reams' Station, August 25; Fort Hask, March 28, 29, and April 1 and 2; also at the siege of Peteraburg.

rived in this city last evening, and are temporarily quar tored at the Battery Barracks. They will take their de-parture for Burlington to-day. The usual regalement of strawberries and cherries will not come amiss to these brave Vermonters.

Ask for Mrs. S. A. Allen's World's Hair Restorer and Dressing.—The people appreciate them in this country and Europe. Sold by all druggists. A Splendid Shirt, \$2; Beat, \$4 75.—Man-

An Elegant Fitting and Graceful Hanging Cost, Pants and Vests made to order, at McKINLEY'S, 566 Broadway, corner Prince street. A Raid.—All Housekeepers are to use DUTCHER'S Lightning Fir Killer. Sold

Trials at Police Headqu OHM SMITH IN COURT—HE GRTS HIS BOAT STOVE IN—THE DANGERS OF BAD COMPANY—A GOOD ILLUSTRATION FROM THE THATH WARD—OFFICE OER HOUSEMAN VS. BLACK AND TAN PURS—FRO-PRRTY PINDING IN THE SIZTERNET PRECINCT— HAVE CITIZENS THE RIGHT TO PROPERTY FOUND

he had thrown the stone into the boat. This ques

witness stated, enraged Weiss, who clubbed him abous
the back without cause. On a cross-examination with
ness admitted that he called the officer a "Dutch son ef
a b—h," and used other abusive language.

Oitizen Finck was called up, and stated that he was
present at the time of the alleged assault, and heard
Citizen Finck was called up, and stated that he was
present at the time of the alleged assault, and heard
Citizen Finck has called up, and stated that he was
present at the time of the alleged assault, and heard
Citizen Finck has the stated that the called at the stated him, and further, that there was a feativity on the
state of the time, and that Sixth got over the frace,
It appeared that the count by the door in the called
the matter. Captan Hart stated that Citizen Funck had
been a captain in the army, and had been in fourfeen.

Julius Schneider, a young man residing in the Tenth
ward, complained against Roundsman Hart, of the Tenth
precinct police. Schneider stated that he was standing
at the junction of Cassi and Bayard streats, when
Roundsman Hart came up and ordered him away, subsequently arresting him and taking him to the stationhouse and afterwards to court, where he was locked up,
and that it cost him elighteen foliars to got out, all this
without cause or provocation. Roundsman Hars stated
that he saw Schneider standing on the corner altime to be thimpsely at any sciency and the corner altime to be thimpsely at any sciency and the corner altime to be the corner of the corner altime to be the corner of the corner altime to the corner altime to be the corner of the corner altime to the corner of the corner of the corner
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A. Jeffers, 573 Broadway, has no ready his new styles of Shoes for ladies and children Maganta, Petroleum, Solferino and Blue.

JEFFERS, 673 Broadway.

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risit New York professionally every Tuesday, exce Fourth of July. His rooms are at 32 Bond street.

Fings, Fings, Staffs, Balls, &c.—All kinds at HOJER & GRAHAM'S, 97 Duane street, three doors west of Broadway. Gouraud's Italian Medicated Scap cures Tan, Freckles, Tetter, Eruptions, Sanburn and all skin blemishes, at his depot, 453 Broadway. Mailed, 75 cents.

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boils, erystpelia, otter, saltrhoum
all food diseases; diseases of the heart, palpitation, dyapesia, ulceration of bones of the nose, scale and face. Use
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to reput the property of the control of t